REMARKS

The above amendments and following remarks are submitted in response to the Official Action of the Examiner mailed June 13, 2005. Having addressed all objections and grounds of rejection, claims 1-25, being all the pending claims, are now deemed in condition for allowance. Reconsideration to that end is respectfully requested.

Claims 1-25 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,810,429, issued to Walsh et al (hereinafter referred to as "Walsh"). This ground of rejection is respectfully traversed for failure of Walsh to meet the requirements of MPEP 2131, which provides in part:

2131 Anticipation -

TO ANTICIPATE A CLAIM, THE REFERENCE MUST
TEACH EVERY ELEMENT OF THE CLAIM

"A claim is anticipated only if each and every
element as set forth in the claim is found, either
expressly or inherently described, in a single prior
art reference." Verdegaal Bros. v. Union Oil Co. of
California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053
(Fed. Cir. 1987).

The rejection of amended claims 1-25 is respectfully traversed. However, in an effort to improve the Examiner's understanding of Applicants' invention, independent claims 1, 6, 11, 16, and 21 have been amended to incorporate various definitions from

Applicants' disclosure (e.g., IDT). Hopefully, this will facilitate the further examination.

With regard to claim 1, for example, the Examiner has found that Walsh has "a legacy data base management system which executes an ordered sequence of command language statements". This statement is deemed unsupported by Walsh. Furthermore, the Examiner has not cited any support for this finding.

Claim 1 further requires "a service request". Instead of addressing the claimed "service request", the Examiner states:

> a document formatted in XML (extensible markup
> language) (i.e., XML doc. Fig. 1b, item 106, 126).....

It is assumed that the Examiner has not addressed the "service request" limitation because Walsh does not contain the claimed "service request". Walsh transfers data within XML documents but does not transfer the claimed "service requests". Critical to Applicants' invention is the transfer of the claimed "service request" via an XML document. For that reason, Applicants specifically claim a "service request". To assist the Examiner, claim 1 has been amended to further define this claimed element.

Claim 1 is further limited by an Input Definition Table (IDT). Walsh does not have this element because Walsh does not need an IDT. The transferred "service requests" are essentially executable applications. Therefore, there is a need for an IDT to accompany the XML containing the "service requests". However,

12

Walsh only transfers data within the XML documents, thereby not requiring the IDT. To assist the Examiner in this regard, the definition of the IDT is provided from the specification at page 51, lines 6-12.

Not having three of the four claimed elements of claim 1, Walsh cannot anticipate claim 1 in accordance with MPEP 2131. The rejection of amended claim 1, and all claims depending therefrom, is respectfully traversed.

In rejecting claims 2, 7, 12, and 17, the Examiner states:

> As to Claims 2, 7, 12 and 17, <u>Walsh et al.</u> Discloses a (sic) improvement further comprising
>   a Document Type Definition (DTD) which defines the format of the document (i.e., DTD. Col 9, lines 51-67).

Again, the Examiner ignores the actual claim limitations. Claim 12, for example, is limited by the step to "store" the DTD for future use. The Examiner's citation suggests that the DTD's are generated by design tools 140 for each use. Similarly, claim 17 is limited by a hardware element, "means for storing" the DTD. Clearly, Walsh cannot meet these limitations. The rejection of claims 2, 7, 12, and 17 is respectfully traversed.

Similarly, claims 3, 8, 13, and 18 all contain different limitations. Nevertheless, the Examiner simply says:

> As to Claims 3, 8, 13 and 18, <u>Walsh et al.</u> Discloses a (sic) improvement wherein
>   the IDT further comprises a plurality of sequential text lines (fig. 2, item 132 and Col. 5, lines 60-67).

13

First, it is clear that Walsh Fig. 2, item 132, and Column 5, lines 60-67, are unrelated. Second, as explained above Walsh does not have and has no need for an IDT. Finally, even though legally irrelevant for not addressing the claimed invention, the Examiner's statement is clearly erroneous in that the cited material says nothing of "a plurality of sequential text lines" as stated by the Examiner. The rejection of claims 3, 8, 13, and 18 is respectfully traversed.

Claims 4, 9, 14, and 19 require that the IDT (which Walsh does not have) contain "access constraints". Again, to assist that Examiner, these claims have been amended to indicate that the claimed "access constraints" are limited to the system security system. A considerable portion of Applicants' disclosure is dedicated to these security concerns (see for example pages 18-20). As explained above, "access constraints" are the type of elements required of a "service request". Walsh does not have a "service request". Therefore, Walsh does not need "access constraints" or other contents of the IDT.

In rejecting claims 5, 10, 15, and 20, the Examiner cites Fig. 2, item 132 which column 9, lines 35-36, identifies as a "rules data base". Though the relationship of this citation to claim 5 is most tenuous, it has nothing to do with claims 10, 15,

14

and 20. The rejection of claims 5, 10, 15, and 20 is

respectfully traversed.

Claim 6 is an independent apparatus claim having four basic

elements. The first element is an "XML document" containing a

"service request". The document of Walsh (i.e., element 102)

transfers only data and does not transfer the claimed "service

request". Furthermore, column 5, lines 62-65, directly supports

Applicants' position, stating:

> The RAC uses application programming interfaces (APIs)
> and structures of the legacy data source to access the
> **data** and to map the **data** into the XML format. (Emphasis
> added)

Clearly, the XML document of Walsh is simply used to transfer

data.

The third element is a "data base management system" which

honors the claimed "service request". Having no "service

request", Walsh certainly discloses no structure for honoring the

claimed "service request".

The fourth element is an IDT which Walsh does not have as

explained above. The rejection of amended claim 6, and all

claims depending therefrom, is respectfully traversed.

Claim 11 is an independent method claim having four basic

steps. Walsh does not meet the environmental limitations of the

claim because it has no "service request" contained within an

15

"XML document". Therefore, Walsh cannot have the first, transferring, step.

The second step converts the XML document containing the "service request" into an "XML mapping tree". Walsh has no "XML mapping tree" as claimed. Because Walsh does not have a "service request" contained within the XML document, it cannot meet the third step for converting into the claimed "sequence of command language statements". Furthermore, Walsh cannot possibly meet the fourth step, because it does not have a "service request". Whatever is executed by Walsh, it is not the "service request" transferred within an XML document. The rejection of amended claim 11, and all claims depending therefrom, is respectfully traversed.

Claim 21 is an independent method claim. As amended, it has four basic steps. To alleviate any potential confusion regarding the nature of the claimed "element to source tree", the second step was added showing it to be a tool for use by the user for defining the conversion process (see, for example, page 10, lines 12-19, of the specification). Of course, Walsh does not have this second step, because it does not have the claimed "element to source tree" and does not have a user. The remaining steps were similarly amended (for example, the modifying step) to ensure that the nature of the claimed "element to source tree" is

16

adequately defined. The rejection of amended claim 21, and all claims depending therefrom, is respectfully traversed.

Claim 22 depends from claim 21 and further limits the claimed, "element to source tree". Because Walsh does not have the claimed "element to source tree", it cannot have this further limitations to it. The rejection of claim 22 is respectfully traversed.

Claim 23 depends from claim 22 and further limits the "modifying" step. Walsh does not have the "modifying" step. Therefore, Walsh cannot have the further limitations of claim 23. The rejection of claim 23 is respectfully traversed.

Claim 24 depends from claim 23 and further limits the "modifying" step. Walsh does not have the "modifying" step. Therefore, Walsh cannot have the further limitations of claim 24. The rejection of claim 24 is respectfully traversed.

Claim 25 depends from claim 24 and further limits the "modifying" step. Walsh does not have the "modifying" step. Therefore, Walsh cannot have the further limitations of claim 25. The rejection of claim 25 is respectfully traversed.

Having thus responded to each objection and ground of rejection, Applicants respectfully request entry of this amendment and allowance of claims 1-25, being the only pending claims.
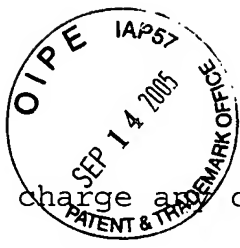
Please charge any deficiencies or credit any overpayment to Deposit Account No. 14-0620.

Respectfully submitted,

Thomas N. Turba et al.

By their attorney,

Date September 12, 2005 _____

Wayne A. Sivertson
Reg. No. 25,645
Suite 401
Broadway Place East
3433 Broadway Street N.E.
Minneapolis, Minnesota
55413
(612) 331-1464